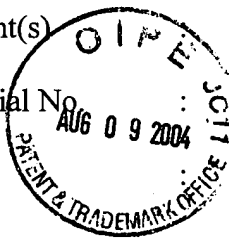


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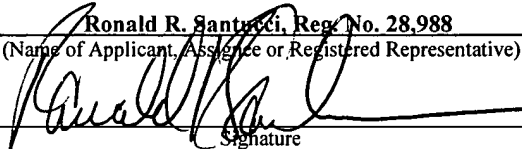
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Fischer et al.
U.S. Serial No : 09/700,434
Filed : February 28, 2001
For : **TIMED RELEASE TRANSDERMAL SYSTEMS
CONTAINING AN ACTIVE INGREDIENT**
Examiner : Sharmila S. Gollamudi
Group Art Unit : 1616



745 Fifth Avenue
New York, NY 10151

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 6, 2004

Ronald R. Santucci, Reg. No. 28,988
(Name of Applicant, Assignee or Registered Representative)

Signature
August 6, 2004
Date of Signature

NOTICE OF APPEAL/REQUEST FOR EXTENSION OF TIME

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the final Office Action, mailed February 6, 2004 and in addition respectfully requests a three-month extension of time pursuant to 37 C.F.R. §§1.136(a) and 1.17(a) from May 6, 2004 to August 6, 2004. Our check in the amount of \$1,280.00 is enclosed to cover the appeal

08/10/2004 HAL111 00000052 09700434
330.00 OP
950.00 OP
01 FC:1401
02 FC:1253

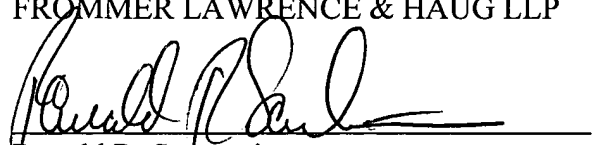
fee required by 35 U.S.C. §41(a)(6) and 37 C.F.R §1.17(b) to wit \$330.00, plus the requisite fee for a three-month extension of time for a large entity (\$950.00).

Please charge any additional fees required for the Notice of Appeal or otherwise occasioned by this paper or credit any overpayments to Deposit Account No. 50-0320.

This Notice is being filed in triplicate.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

By:

A handwritten signature in black ink, appearing to read 'Ronald R. Santucci', is written over a horizontal line.

Ronald R. Santucci

Reg. No. 28,988

Telephone No. (212) 588-0800